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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,666	03/18/2004	Hiroaki Tsukamoto	61,083 (49381)	8015
7590 07/14/2005 EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, MA 02205			EXAMINER VU, HUNG K	
			ART UNIT 2811	PAPER NUMBER

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/804,666

Applicant(s)

TSUKAMOTO ET AL.

Examiner

Hung Vu

Art Unit

2811

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 10-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03/18/04, 08/25/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Invention of Group I, Claims 1-9, in the reply filed on 04/22/05 is acknowledged.

Claims 10-15 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on 04/22/05.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by You et al. (PN 6,870,208).

You et al. discloses, as shown in Figures 2-4, a module for an optical device being provided with a solid-state image sensor (44) having an effective pixel region formed on one side thereof and an optical path demarcating unit (40,48) for demarcating an optical path from an objective lens (80) to the effective pixel region, comprising:

a translucent cover (46) placed opposite to said effective pixel region on the solid-state image sensor;

Art Unit: 2811

a bonding portion (47) for fixedly bonding the translucent cover to the solid-state image sensor; and

a joint portion for fixedly joining the optical path demarcating unit to the translucent cover;

whereby the objective lens is positioned with respect to the effective pixel region with the one side of the solid-state image sensor defined as a positioning reference, by fixedly joining the optical path demarcating unit to the translucent cover via the joint portion, and by fixedly bonding the translucent cover to the solid-state image sensor via the bonding portion.

Regarding claim 2, You et al. discloses the joint portion is joined by fixedly bonding the translucent cover and the optical path demarcating unit.

Regarding claim 3, You et al. discloses the translucent cover is formed to have a plane size smaller than the plane size of the one side of the solid state image sensor.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over You et al. (PN 6,870,208).

Regarding claim 4, You et al. discloses the claimed invention including the module as explained in the rejection above. You et al. further discloses the bonding portion contains a molded region.

You et al. does not disclose the bonding portion contains a photosensitive bonding agent.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the bonding portion of You et al. having the materials as that claimed by Applicant, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Regarding claim 5, You et al. discloses a space is formed between the effective pixel region and the translucent cover, and

the bonding portion is formed at the peripheral portion of the effective pixel region on the one side of the solid-state image sensor.

Regarding claim 6, You et al. discloses the bonding portion is configured to seal the space formed between the effective pixel region and the translucent cover.

Regarding claim 7, You et al. discloses the lens is placed so as to oppose to the effective pixel is held by the optical path demarcating unit.

Art Unit: 2811

4. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over You et al. (PN 6,870,208) in view of Applicants' Admitted Prior of Figures 1-3.

You et al. discloses the claimed invention including the module as explained in the rejection above. You et al. does not disclose the module further comprising an image processing device being bonding to a wiring substrate, and the solid-state image sensor is bonded to a plane portion of the image processing device. However, Applicants' Admitted Prior of Figures 1-3 disclose a module further comprising an image processing device (32) being bonding to a wiring substrate (30), and a solid-state image sensor (34) is bonded to a plane portion of the image processing device. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the module of You et al. having an image processing device bonding to a wiring substrate, and the solid-state image sensor bonded to a plane portion of the image processing device, such as taught by Applicants' Admitted Prior of Figures 1-3 in order to process the signals and to perform the desired function.

Regarding claim 6, You et al. and Applicants' Admitted Prior of Figures 1-3 disclose the module being used as a module for a camera.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung K. Vu whose telephone number is (571) 272-1666. The examiner can normally be reached on Mon-Thurs 6:00-3:30, alternate Friday 7:00-3:30, Eastern Time.

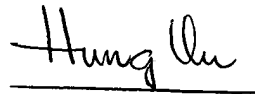
Art Unit: 2811

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on (571) 272-1732. The Central Fax Number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Vu

July 7, 2005

A handwritten signature in cursive script, appearing to read "Hung Vu", is written over a horizontal line.

Hung Vu

Primary Examiner